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MEMO ENDORSED

THE CITY OF NEW YORK
LAW DEPARTMENT

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July 25, 2007

VIA HAND DELIVERY

The Honorable Deborah A. Batts
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: Rivera et al. v. The City of New York et al.
07 Civ. 5999 (DAB)

Dear Judge Batts:

I am the Senior Counsel with the Office of the Corporation Counsel assigned to the defense in the above-referenced matter in which plaintiffs allege that they were falsely arrested, maliciously prosecuted, and their premises unlawfully searched. Defendant City of New York respectfully requests that its time to respond to the complaint be extended for sixty days from the current due date of July 30, 2007 until September 28, 2007. I have spoken with plaintiff's counsel and plaintiffs consent to this request. No previous request for an extension has been made by defendant. *July 26, 2007* *DAB/* *GRANT*

There are several reasons for seeking an enlargement of time. In accordance with this office's obligations under Rule 11 of the Federal Rules of Civil Procedure, defendant City needs this additional time to investigate the allegations of the complaint. It is our understanding that the records of the underlying criminal actions, including police records, may have been sealed pursuant to New York Criminal Procedure Law § 160.50. Therefore, this office is in the process of forwarding to plaintiffs for execution consents and authorizations for the release of sealed records so that the defendant can access the information, properly assess the case, and respond to the complaint. Additionally, because all six plaintiffs have alleged physical and psychological injuries as a result of the events complained of, this office is in the process of forwarding to them for execution consents and authorizations for the release of medical records, at this point limited to the incident, again so that the defendant can *access* *properly* assess the case, and respond to the complaint.

SO ORDERED

Deborah A. Battis
DEBORAH A. BATTIS
UNITED STATES DISTRICT JUDGE

MEMO ENDORSED

Accordingly, we respectfully request that defendant City's time to answer or otherwise respond to the complaint be extended to September 28, 2007.

Thank you for your consideration in this matter.

Respectfully submitted,



Hillary A. Frommer (HF 9286)
Senior Counsel

cc: Peter R. Shipman, Esq. (via facsimile)